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Ref: 8EPR-EP

JUN 24 2003

Mr. Art Compton, Director
Planning, Prevention and Assistance Division
Department of Environmental Quality
P.O. Box 200901
Helena, MT 59620-0901

Re: TMDL Approval
Upper Lolo Creek TMDL Planning Area

Dear Mr. Compton:

We have completed our review of the total maximum daily load (TMDL) as submitted by your office for the Upper Lolo TMDL Planning Area. The TMDLs are included in the document entitled Water Quality Restoration Plan and Total Maximum Daily Loads for the Upper Lolo Creek TMDL Planning Area (Montana Department of Environmental Quality; April 14, 2003) transmitted to us for review and approval in correspondence dated May 7, 2003 and signed by you. Enclosure 1 to this letter provides a summary of the elements of the TMDLs and Enclosure 2 provides details of our review of the TMDLs.

Based on our review, we feel the separate TMDL elements listed in Enclosure 2 adequately address the pollutants of concern, taking into consideration seasonal variation and a margin of safety.

In accordance with the Clean Water Act (33 U.S.C. 1251 *et. seq.*), we approve all aspects of the TMDLs as developed for the Upper Lolo Creek TMDL Planning Area. In approving these TMDLs, EPA affirms that the TMDLs have been established at a level necessary to attain and maintain the applicable water quality standards and has the necessary components of an approvable TMDL.

Finally, we wish to inform you that our office has received concurrence from the U.S. Fish and Wildlife Service regarding our biological evaluations of the approval of the Upper Lolo Creek sediment TMDLs. Our biological evaluation was submitted to the Service in accordance with Section 7 of the Endangered Species Act on June 3, 2003. In our evaluation, we assessed the effects for our approval on the threatened, endangered, proposed, and candidate species in the area of the TMDLs. Our conclusion was that the TMDL approval would either have no effect or would not likely have an adverse impact on the species of concern. Any effect of the TMDL approvals was seen as either insignificant or beneficial to the species.

Thank you for your submittal. If you have any questions concerning this approval, feel free to contact Ron Steg of our Helena staff at (406) 457-5024.

Sincerely,

Max H. Dodson
Assistant Regional Administrator
Ecosystems Protection and Remediation

Enclosures

cc:

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ENCLOSURE 1

Table 1. TMDL Summary Information

Water Bodies & Pollutants of Concern	A total of 5 individual TMDLs including: - West Fork Lolo Creek – siltation - East Fork Lolo Creek – siltation (not impaired – protective TMDL) - Granite Creek – siltation - Thermal modification (not impaired – no TMDL required - Lee Creek – siltation (not impaired – protective TMDL) - Lost Park Creek – siltation (not impaired – protective TMDL)
Section 303(d)(1) or 303(d)(3) TMDL	- 303(d) 1 for West Fork Lolo and Granite Creeks - 303(d) 3 for East Fork Lolo, Lee, and Lost Park Creeks
Impaired Beneficial Uses	- Partial support: cold water fishery and aquatic life
Pollutant Sources	- Silviculture, highway and natural
Target	- Reference based threshold values for % substrate fines < 2mm - Reference based threshold values for % substrate fines < 6mm
TMDL	- The TMDL is expressed as a load reduction
Allocation	- Load reductions are proposed for all of the primary sources and a performance-based approach is proposed.
Restoration Strategies	- Measures to reduce sediment loading have been identified by each of the five primary watershed stakeholders including the Lolo National Forest, Plum Creek Timber Company, the Montana Department of Transportation, Missoula Conservation District, and MTDEQ.
Margin of Safety	- A 10% margin of safety has been incorporated into the % fines targets. - Conservative assumptions used in estimating sediment loading. - Protective TMDLs prepared for waters that do not appear to be impaired.
Seasonal Considerations	- Sediment production data, problem definition, and all aspects of the TMDL apply to yearly sediment loading and erosion during all climactic events.

ENCLOSURE 2

EPA REGION VIII MONTANA OFFICE TMDL REVIEW FORM

Document Name:	**Water Quality Restoration Plan and Total Maximum Daily Loads for the Upper Lolo Creek TMDL Planning Area**
Submitted by:	**MTDEQ**
Date Received:	**May 9, 2003**
Review Date:	**June 2, 2003**
Reviewer:	**Ron Steg**
Formal or Informal Review?	**FORMAL**

This document provides a standard format for the EPA Montana Office to provide comments to the Montana Department of Environmental Quality on TMDL documents provided to the EPA for either official formal, or informal review. All TMDL documents are measured against the following 12 review criteria:

1. Water Quality Impairment Status
2. Water Quality Standards
3. Water Quality Targets
4. Significant Sources
5. Total Maximum Daily Load
6. Allocation
7. Margin of Safety and Seasonality
8. Monitoring Strategy
9. Restoration Strategy
10. Public Participation
11. Endangered Species Act Compliance
12. Technical Analysis

Each of the 12 review criteria are described below to provide the rational for the review, followed by EPA's comments. This review is intended to ensure compliance with the Clean Water Act and also to ensure that the reviewed documents are technically sound and the conclusions are technically defensible. This document review form incorporates, by reference, the summary of TMDL elements presented in Table 1 (See Enclosure 1).